



Instructions for Completing a Request for Authorization under General Permits Administered by the Inland Water Resources Division

- General Permit for Habitat Conservation (DEP-IWRD-GP-003)
- General Permit for Lake, Pond and Basin Dredging (DEP-IWRD-GP-004)
- General Permit for Utilities and Drainage (DEP-IWRD-GP-005)
- General Permit for Minor Structures (DEP-IWRD-GP-006)
- General Permit for Minor Grading (DEP-IWRD-GP-007)
- General Permit for Dam Safety Repair and Alteration (DEP-IWRD-GP-008)

Use these instructions to complete a Request for Authorization Form for the General Permits listed above. These instructions are not a substitute for the requirements of any relevant statutes or regulations. You should review all applicable laws and the applicable general permit and its specific eligibility requirements prior to completing the Request for Authorization Form. Remember, it is your responsibility to comply with all applicable laws and to demonstrate in your request for authorization that the subject activity complies with all conditions for approval under the general permit

Introduction

The Inland Water Resources Division (IWRD) of the Department of Environmental Protection's (DEP) Bureau of Water Management administers six general permits for construction activities involving water resources. These general permits provide a short-process permit for minor activities which cause:

- no greater than minimal adverse environmental effects when conducted separately;
- only minimal cumulative environmental effects; and,
- no greater than a minimal effect on the planning and management of water resources.

Note: The six general permits listed above supersede The General Permit for Water Resource Construction Activities (DEP-IWRD-GP-002). The General Permit for Water Resource Construction Activities has been extended for three years from its expiration date of June 27, 2002, for the sole purpose of allowing activities authorized under this general permit to be completed.

Section 3(b) of each of the general permits listed above lists the requirements, or criteria, that must be met for your project to meet the above standards and be approved by the Commissioner. You should review the anticipated effects of your project against these criteria. Requesters are encouraged to include in their Requests for Authorization any additional information that would document that the criteria will be met.

Regulated activities vary widely in their environmental effects. The type and nature of the technical documentation required for adequately documenting a Request for Authorization will likewise vary depending on the proposed activity and its proposed location. For this reason, DEP recommends strongly that requesters consult with IWRD staff prior to conducting environmental and engineering studies or submitting the Request for Authorization. Because your Request for Authorization will be reviewed concurrently by the DEP and the municipal land use agencies, requests for authorization must be complete when they are

submitted to DEP. Incomplete requests will be rejected or denied without prejudice.

Questions you have regarding IWRD's general permit program should be directed to 860-424-3019 (for information on inland wetland, stream channel encroachment line and water diversion permits and approvals) or 860-424-3706 (for information on dam repairs and construction).

Who May Apply for General Permit Authorization?

Any person who wishes to conduct a regulated activity authorized by the general permits listed at the beginning of these instructions must submit a Request for Authorization to the Commissioner and receive written approval of the activity.

All Requests for Authorization must be in compliance with the provisions of Public Act PA-02-95 "An Act Concerning Protection Of Long Island Sound", and with Executive Order #26 issued by Governor John G. Rowland on April 12, 2002.

The specific activities that are eligible for approval under the general permits are listed in Part II of the *Request for Authorization Form* and described in detail in Section 3(a) of each of the general permits. Such activities are regulated by the Commissioner under the following program authority:

Inland Wetlands and Watercourses Act - Sections 22a-36 through 22a-45a of the Connecticut General Statutes (CGS)

Any operation within or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration or pollution of such wetlands or watercourses, is a regulated activity. Under this Act, permit authority is split between the towns and DEP, with DEP regulating the wetland or watercourse activities of Connecticut state agencies, and the towns regulating the wetland or watercourse activities of all other persons. These general permits apply only to

specific wetland or watercourse activities, as described in each general permit, undertaken by a department, agency or instrumentality of the State of Connecticut, except any local or regional board of education, as prescribed by CGS Section 22a-39. Any wetland or watercourse activities undertaken by any other persons are not authorized by these general permits, but rather are subject to municipal inland wetland agency regulations as prescribed by CGS Section 22a-42.

Stream Channel Encroachment - CGS Sections 22a-342 through 22a-349a

Placement of any obstruction or encroachment riverward of stream channel encroachment lines established by the Commissioner is a regulated activity. Such lines define a number of regulated areas along approximately 270 miles of highly flood-prone watercourses statewide. Stream channel encroachment line maps are on file with the town clerk in each affected town and at DEP. An index to the maps is also available from DEP. Obstructions and encroachments include, but are not limited to, land clearing, grading, filling, excavation, construction, and replacement or repair of existing non-conforming structures within the regulated area. These general permits apply only to specific stream channel encroachment activities, as described in each general permit.

Water Diversion Policy Act - CGS Sections 22a-365 through 22a-378a

Any activity which causes, allows or results in the withdrawal from or the alteration, modification or diminution of the instantaneous flow of the waters of the state is a regulated activity unless such activity is properly registered with the Commissioner under CGS Section 22a-368 or is exempt from the Act under CGS Section 22a-377(a) or Section 22a-377(b)-1 of the Regulations of Connecticut State Agencies (RCSA). The Act defines "instantaneous flow" to mean the volume of water that would occur in waters at a given point at any given moment (see CGS Section 22a-367). We distinguish two kinds of diversions, consumptive and non-consumptive.

These instructions consider non-consumptive uses only. Regulated non-consumptive diversion activities include dredging waters of the state. In general, non-consumptive diversions of waters draining from a watershed of less than 100 acres are exempt (see RCSA Section 22a-377(b)-1). These general permits apply only to specific water diversion activities, as described in each general permit.

Dam Maintenance and Construction - CGS Sections 22a-401 through 22a-411

Any repair or alteration of an existing dam, dike, reservoir or similar structure, is a regulated activity if by breaking away or otherwise, such dam, dike, reservoir or similar structure might endanger lives or property. If the construction of a new dam and/or the removal of an existing dam posed hazards to downstream property an individual CGS Section 22a-403 dam safety permit would be required.

Any person proposing to initiate a dam related activity must obtain a dam construction permit (i.e., an individual or general permit) prior to conducting such activity unless DEP determines that a dam construction permit is not required. In order to make that determination, the applicant/requester must, prior to applying for a permit, submit a plan outlining the proposed work to:

INLAND WATER RESOURCES DIVISION –
DAM SAFETY SECTION
DEPARTMENT OF ENVIRONMENTAL PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

If DEP, after reviewing the proposed work, concludes that the dam would pose no threat to life or property should the dam fail, the applicant/requester will be informed that a dam construction permit is not required, although a *municipal wetlands, stream channel encroachment or diversion permit may be required.*

If a dam construction permit from DEP is required, the applicant/requester will be informed that either an individual or general permit is required. The General Permit for Dam Safety Repair and Alteration provides a streamlined process for the specific dam related activities described within that general permit. When a dam construction permit is required, CGS Section 22a-411 provides that the impacts of the proposed activity on inland wetlands and watercourses shall be determined by the DEP pursuant to the provisions of the Inland Wetlands and Watercourses Act, CGS Sections 22a-36 through 45, inclusive. Section 22a-411 further provides that altering, rebuilding, repairing or removing an existing dam under the commissioner's jurisdiction is not subject to municipal regulation under the inland wetlands statutes, or state regulation under the stream channel encroachment line statutes (CGS Sections 22a-36-45a) or state regulation under the diversion of water statutes (CGS Sections 22a-365-378a).

How to Apply

Your Request for Authorization should be submitted simultaneously to DEP and to certain municipal land-use agencies of the town where the subject activity is located and to any town in which the activity may have an affect.

The requester may not initiate the authorized activity any sooner than sixty (60) days after filing a Request For Authorization. If the permittee does not complete the authorized activity within three (3) years after the date of the applicable approval of authorization, said approval shall be null and void.

1. To each municipal agency listed in Part VIII of the request form, submit one copy of your completed *Request for Authorization Form* and all of its attachments, *and*
2. To the DEP submit:
 - a completed *Permit Application Transmittal Form* (DEP-APP-001);

- the total general permit fee (check or money order payable to the “Department of Environmental Protection”);
- a completed *Request for Authorization Form* and all its attachments (use form DEP-IWRD-REQ-003-008).

The general permit fee and the *original and two copies* each of the transmittal form, the *Request for Authorization Form*, and all of its attachments, must be submitted together as a package to:

CENTRAL PERMIT PROCESSING UNIT
DEPARTMENT OF ENVIRONMENTAL PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

DEP Action on Requests for Authorization

The DEP will review your Request for Authorization for consistency with the applicable general permit. DEP will also review any comments received by outside reviewers and may ask you to respond, in writing, to any substantive comments or concerns before it acts on your request.

Request for Authorization may be approved with reasonable conditions. If the Commissioner disapproves or rejects a Request for Authorization, he will inform the requester of the reasons for such disapproval or rejection, in which case the requester may seek approval of the subject activity through an application for an individual permit. If your request is rejected because it is insufficient or inadequate, you may submit a new request wherein the noted deficiencies are corrected. A new general permit fee must be submitted at the time the new Request for Authorization is submitted.

Instructions for Completing the Request for Authorization Form

A Request for Authorization is made on a form provided by DEP and contains specific information about the requester and the proposed activity. Requests for approval under the six (6) listed general permits for construction activities in water

resources are made using form DEP-IWRD-REQ-003-008. The request form is self explanatory and, where necessary, **directs you to various paragraphs in Section 4(c) of the applicable general permit** for a detailed description of the information required to complete a Request for Authorization. After reviewing these general instructions, the request form and the general permit, should you have any questions, please contact staff in the IWRD for assistance: 860-424-3019 (for information on inland wetland, stream channel encroachment line and water diversion permits and approvals) or 860-424-3706 (for information on dam repairs and construction).

Please complete one Request for Authorization form for each site. Each site may encompass several activities.

Part I: Requester Information

When completing this part and Part IV (Associated Party Information), please use the following standards:

- *Name* - Provide the full, legal *company/firm* name. (If identifying an entity registered with the Secretary of the State, fill in the name exactly as it is shown on such registration.) If identifying an *individual*, provide the full legal name (include title and suffix) in the following format: Title (Ms, Dr, etc.); First Name; Middle Initial; Last Name; Suffix (Jr, PE, PhD, etc.)
- *Phone* - Unless otherwise indicated, the phone number provided should be the number where the individual can be contacted during the daytime business hours.
- *Contact Person* - Provide the name of the specific individual within the company whom DEP may contact.

- *Applicant/Requester* - Fill in the requester's name and phone number exactly as it appears on the *Permit Application Transmittal Form* (DEP-APP-001).

Part II: General Permit Type and Fee Information

Place a check mark by each activity that will be the subject of the Request for Authorization and by each of the program/statutory authorities under which the subject activity is authorized. A single *Request for Authorization Form* may include multiple general permit activities.

The fee for each activity is \$1000.00, unless otherwise indicated on the form. For municipalities, the 50% discount applies. The Request for Authorization will not be processed without the total fee. General permit fees are not refundable.

Please enter the fee for each activity and the total fee submitted in the spaces provided.

Payment should be in the form of a check or money order made payable to "Department of Environmental Protection".

Part III: Authorization Type

If the Request for Authorization is for a renewal of an approval of authorization, you *must* complete Parts I through III and Parts VIII and IX of the request for authorization form; complete the remaining parts of the form *only* if it is different than your previous submittal. In Part III, please provide the existing permit or authorization number, the expiration date of the existing permit or authorization and a brief description of the authorized activity.

If your proposed regulated activity has never been previously authorized by the applicable general permit or by an applicable individual permit, or if your approval of authorization or individual permit has expired, your Request for Authorization would

be deemed a request for a *new approval of authorization*.

If your request is for authorization to continue conducting the regulated activity after the expiration date specified in the general permit approval of authorization, your request would be deemed a *renewal of approval of authorization*.

Part IV: Associated Party Information

1. *Primary Contact* - If you have authorized a consultant, engineer, attorney or other individual to act for you during the processing of this Request for Authorization, complete this section. DEP will direct copies of all correspondence and inquiries to this primary contact.
2. *Attorney* - It is not required that a registrant be represented by an attorney or any other agent. If you do have an attorney, complete this section.
3. *Property Owner* - If the requester is not the owner of the property or facility which is the subject of the Request for Authorization, complete this item. Also indicate the requester's interest in the subject property.
4. *Consultants* - List any consultants employed or retained to assist in preparing the Request for Authorization or in designing the proposed activity. Be sure to identify the service that is being provided by each.

Part V: Site Information

- 1a. The facility name, if applicable, should be the name by which the facility is commonly known and/or uniquely identified.

The information given as the location address should be the address of the property at which the proposed activity will take place. Include the street address and municipality. If the property does not have a street number,

describe the location in terms of the distance and direction from an obvious landmark such as an intersection with another roadway, a bridge, or a river. For example, "... on River Street, approximately 1000 feet north of its intersection with Bear Swamp Road."

Please provide a project number, if one has been assigned.

1b. Assessor's map references may be obtained from the municipal tax assessor's office (map references not required if requester is an agency of the State of Connecticut).

1c. Also please provide, if known, the latitude and longitude of the site.

1d. If the subject activity involves an existing dam, the CT Dam Inventory Number may be obtained from the DEP Dam Safety Program, 860-424-3706.

2. *Name of wetlands and watercourses* -

Indicate the name of the wetlands and watercourse involved with or potentially affected by the subject activity. Many wetlands and most watercourses are named on United States Geological Survey (USGS) topographic quadrangle maps. Stream channel encroachment line (SCEL) watercourses are named on the encroachment line maps. Please use the "official" names for wetlands and watercourses given on the USGS maps or, in the case of a stream channel encroachment request, the applicable SCEL map. In the case where the wetland or watercourse is not named on the USGS map, indicate the name of the watercourse immediately downstream and indicate that the subject wetland or watercourse is an unnamed tributary to that wetland or watercourse.

3. *Public Water Supply Watersheds* - Public water supply watershed land maps are on file with the town clerk's office in the subject town.

You may also simply contact the water utility for this information.

4. *Coastal Management Act Consistency* - Activities within the state's coastal area and coastal boundary must be consistent with the Connecticut Coastal Management Act (CGS Sections 22a-90 through 22a-112). You are required to complete a *Coastal Consistency Review Form* (DEP-APP-004) to demonstrate that the subject activity is consistent with the standards and policies of this Act. To determine whether this requirement pertains to you, you must first decide if your subject activity is, or is proposed to be, located in either the coastal area or the coastal boundary.

The *coastal area*, as defined in CGS Section 22a-94 (a), includes the land and water within the following towns:

Branford	Guilford	Old Saybrook
Bridgeport	Hamden	Orange
Chester	Ledyard	Preston
Clinton	Lyme	Shelton
Darien	Madison	Stamford
Deep River	Milford	Stonington (Borough and Town of)
East Haven	Montville	Stratford
East Lyme	New London	Waterford
Essex	New Haven	West Haven
Fairfield	North Haven	Westbrook
Greenwich	Norwalk	Westport
Groton (City and Town of)	Norwich	
	Old Lyme	

The *coastal boundary*, as defined in CGS Section 22a-94(b), is a designated region within the coastal area. It is delineated on DEP-approved coastal boundary maps which are available for review at the DEP Office of Long Island Sound Programs (OLISP), the DEP File Room, and municipal offices of towns located in the coastal area. Copies of these maps may also be purchased from DEP Maps and Publications.

If your subject activity is, or is proposed to be, located in either the coastal boundary or the coastal area, you must complete the *Coastal*

Consistency Review Form (DEP-APP-004) and submit it with your Request for Authorization as *Attachment C*.

If you need copies of the *Coastal Consistency Review Form*, call the Permit Assistance Office at 860-424-3003. For assistance in completing the form, or if you have questions on this process, call OLISP at 860-424-3034.

5. *Endangered or Threatened Species* - CGS Section 26-310 provides that any subject activity authorized by a state agency, including any subject activity issued a permit by DEP, must not threaten the continued existence or habitat of any endangered or threatened species.

DEP has produced a set of maps titled "State and Federal Listed Species and Natural Communities", which identify areas of concern. These maps are currently available, during normal business hours, in the DEP File Room located on the store level at 79 Elm Street, Hartford.

If you determine that your proposed subject activity is located within a shaded area of concern, as indicated on these maps, you must submit a completed *Connecticut Natural Diversity Data Base Review Request Form* (DEP-APP-007) to:

NATURAL RESOURCES CENTER
NATURAL DIVERSITY DATA BASE/DATA REQUEST
DEPARTMENT OF ENVIRONMENTAL PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

If a field survey of the project area has been conducted to identify the presence of any endangered, threatened or special concern species, indicate on the CT NDDB Review Request Form the biologist's name who conducted the field survey, and his or her address, and include a copy of the field survey

with the completed CT NDDB Review Request Form.

After receiving the CT NDDB Review Request Form, DEP's Connecticut Natural Diversity Data Base (CT NDDB) program will conduct a detailed review to determine if there will be any impact from your subject activity and you will be notified of their results. If applicable, when submitting your general permit Request for Authorization, please include, as *Attachment D*, a copy of the completed CT NDDB Review Request Form along with any other correspondence provided to and received from the CT NDDB program, including CT NDDB's response regarding your activity's potential impact on endangered or threatened species and copies of any field surveys.

If it is determined that the subject activity may have an impact on such species or habitat, conditions may be placed in your authorization to prevent any impact to the species located in that area. For example, the timing of certain activities may be restricted to avoid seasonal impacts.

If you have any questions on this process prior to submitting your Request for Authorization, or need further assistance, call the Permit Assistance Office, 860-424-3003.

Activities Located in Floodplains

Floodplains and floodways are delineated on maps adopted by the Federal Emergency Management Agency (FEMA) for each municipality in accordance with the regulations of the National Flood Insurance Program (44 CFR 59 et seq.) and, for certain rivers having state stream channel encroachment lines, by the Commissioner. Such maps are on file with the affected town.

- 6a. If the subject activity is located within a watercourse or floodplain, provide the land area draining to the site of the subject activity in

acres or square miles. The land area draining to the site of the subject activity is the entire land area, regardless of ownership, draining to the subject site.

6b(i). If the subject activity is within a FEMA floodway and involves the construction of a culvert or bridge in a floodplain, your request must include an analysis prepared by a licensed engineer documenting the hydraulic effect of the activity. In the case of substantive hydraulic impacts, the engineer should review the following guidance document: *Model Hydraulic Analysis, Supplemental Guidelines for Preparing Hydraulic Analyses in Permit Applications Submitted to the Inland Water Resources Division* (DEP-IWRD-GUID-001, Rev. 02/13/02).

6b(ii). If the requester has a Flood Management (FM) Certification for the subject activity, provide the FM certification number in the space provided.

7a. Existing Conditions

Describe the present and intended use of the property on which the subject activity is proposed.

7b. Describe all natural and man-made features including wetlands, watercourses, fish and wildlife habitat, floodplains and any existing structures potentially affected by the subject activity. Such features should be depicted on the site plan (*Attachment B*). In the case of maintenance and repair or improvements to an existing dam, describe the condition of the structure which necessitates such work.

Part VI: Project Summary

This part of your Request for Authorization is comprised of narrative and data describing the subject activity. The specific information that is required is described in Part VI of the *Request for Authorization Form*. **Please consult the applicable general permit for definitions of key**

words and phrases, and detailed directions on the information that should be included in your request.

Part VII: Supporting Documents

Please label all attachments as referenced in the *Request for Authorization Form* and these instructions and be sure to include the name of the requester as indicated on the *Permit Application Transmittal Form*. Place a check mark in the appropriate box by each attachment as verification that all attachments have been submitted.

This part of the request form is a summary check list of required information that is appended to your Request for Authorization. The *Request for Authorization Form* instructs requesters to include certain information as attachments and directs the preparer to specific sections in the general permit for additional information.

In addition to the information requested in Parts V and VI of the *Request for Authorization Form*, you must prepare and attach to the request as Attachment 'A' a project location map and as Attachment 'B' a site plan. Please refer to Section 4(c)(2)(F) & (K) of the general permits for a description of what the map and plan must depict. See Figure A, at the end of these instructions, for an example of how a project location map must be labeled when submitted.

All requesters are encouraged to include in their requests for authorization any additional information not specifically requested on the request form which may assist DEP staff or outside reviewers in understanding what is being proposed and its impacts on the environment or the community.

Part VIII: Notice to Municipal Agencies

CGS Sections 22a-45a (Inland Wetlands and Watercourses), 22a-349a (Stream Channel Encroachment Lines), 22a-378a (Diversion of Water), or 22a-411 (Dam Safety) require any person who requests authorization under these

general permits to provide certain municipal agencies and commissions with notice of such request and an opportunity to comment thereon to the DEP. A complete copy of your *Request for Authorization Form* and all of its attachments comprises such notice and must be submitted to these agencies and commissions at the same time you submit your request to the DEP. These agencies and any other person or municipality may submit written comments to DEP concerning your Request for Authorization no later than thirty-five days after the date your request was submitted to such agencies or DEP, whichever date is later. DEP may request that you respond to these comments before it takes final action on your Request for Authorization.

If your proposed activity may have an affect in an adjacent municipality, a complete copy of your Request for Authorization, including all of its attachments, must also be submitted to the listed agencies and commissions of the adjacent municipality.

If a town's wetlands agency and conservation commission are combined, please note this on Part VIII of the *Request for Authorization Form* when listing the name and address of the agency.

Part IX: Application Certification

After the Request for Authorization has been completed it must be reviewed and signed by both the requester and the individual(s) who actually prepared the Request for Authorization. By their signature, they certify that, to the best of their knowledge and belief, the information contained in the application, including all attachments, is true, accurate and complete.

The certification of the Request for Authorization package shall be signed as follows:

1. For an individual(s) or sole proprietorship, by the individual(s) or proprietor, respectively;
2. For a corporation, by a principal executive officer of at least the level of vice president, or his agent;
3. For a partnership, by all general partners;
4. For a municipal, state, or federal agency or department, by either a principal executive officer or a ranking elected official or by other representatives of such registrant authorized by law.

A Request for Authorization will be considered insufficient unless all required signatures are provided.

Figure A- Inland Water Resources
Project Location Map Example

USGS Quadrangle Map: Clinton
 Map Scale: 1:24,000 (1"=2,000')

- Boundary of site
- Areas of regulated activities on site
- Proposed well field (with site boundary)
- Proposed well (site boundary too small to show)
- Project area
- Multiple project areas

